

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

HASHMATULLAH RAHMATI,

Plaintiff,

v.

BMW OF NORTH AMERICA, LLC,

Defendant.

No. 2:23-cv-00254-MCE-CKD

ORDER

Plaintiff's motion to compel (ECF No. 24) came before the undersigned for hearing on February 28, 2024. At the remote hearing, conducted via Zoom, Sepehr Daghighian appeared on behalf of plaintiff, and Georges Haddad appeared on behalf of defendant.

Despite last-minute filings by both parties (on the eve of hearing and the day of hearing, respectively), which the court disregards as untimely, the parties failed to file a Joint Statement re Discovery Disagreement as required by L.R. 251. See ECF No. 26. In its January 12, 2024, minute order, the undersigned cautioned that "[d]efendant's failure to prepare its half of the Joint Statement without good cause will be grounds for entry of an order adverse to defendant" per Local Rule 251(d). Id. At the hearing, defendant's counsel apologized for the oversight but did not show good cause for failing to respond to a motion to compel filed in November 2023. Thus, plaintiff's motion will be granted in its entirety, with defendant to provide all subject discovery responses on or before the discovery deadline of March 18, 2024. See ECF No. 26.

Accordingly, IT IS ORDERED that:

1. Plaintiff's motion to compel (ECF No. 24) is GRANTED; and

2. No later than March 18, 2024, defendant shall:

(1) Provide Supplemental Verified Responses, without objections, to Interrogatory Nos. 1 through 11;

(2) Provide amended responses and supplemental document production, without objections, for RFP Nos. 9, 16 through 23 and 27 through 41; and

(3) Plaintiff's Requests for Admissions (Set One), Nos. 1 through 21, are deemed admitted.

Dated: February 29, 2024



CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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